



# PROVIDER ALERT



## Effective January 2005, NC Child Restraint System Modified

This year, the General Assembly of North Carolina passed Senate Bill 1218, which will change the child seat restraint requirements.

### **SUMMARY OF THE CHANGES:**

- Currently, children less than 5 years old and weighing less than 40 pounds must be properly secured in a weight-appropriate child restraint system. This bill would expand the requirement to children less than 8 years of age and less than 80 pounds. Effective January 2005, a child who is younger than age 8 and who weighs less than 80 pounds must be properly secured in a child restraint device.
- The new bill allows children less than 8 years old and more than 40 but less than 80 pounds to be restrained by a lap belt only if all seat positions with a shoulder and lap belts are occupied.
- The provisions of this bill do not apply: (i) to ambulances or other emergency vehicles; (ii) when the child's personal needs are being attended to; (iii) if all seating positions equipped with child passenger restraint systems or seat belts are occupied; or (iv) to vehicles which are not required by federal law to be equipped with seat belts.

### **Effect of legislation**

According to G.S. 20-137.1(c):

- Any driver found responsible for a violation of this section may be punished by a penalty not to exceed twenty-five dollars, even when more than one child is not properly secured in a restraint system.
- No driver will be convicted of this violation if he produces, at the time of his trial, satisfactory proof that he has acquired an approved child passenger restraint system.
- Two drivers' license points shall be assessed pursuant to G.S. 20-16. No insurance points shall be assessed.

Please visit [www.buckleupnc.org](http://www.buckleupnc.org) for best practices on choosing and using child restraints.

**[Click here for a flyer explaining the new law in English and Spanish](#)**